

**PLANNING AND ZONING BOARD
OCTOBER 25, 2000**

Revised 02/05/01

1. ROLL CALL

The meeting was called to order at 7:34 p.m. Board members present were Chair George Greb, Michael Davenport (arrived 7:38 p.m.), Lawrence Davis, and Edna Moore. Also present were Attorney A. Thomas Connick, Development Services Director Mark Kutney (arrived 8:30 p.m.), Planner II Marcie Nolan, and Board Secretary Carole Stratman recording the meeting. Vice-Chair Jay Stahl was not present.

2. APPROVAL OF MINUTES - October 11, 2000

Mr. Davis made a motion, seconded by Edna Moore, to approve the minutes of October 11th after changing page 3, last sentence, that it was Mr. Davis on the Joint Economic Development Steering Committee and on page 4 last paragraph last line adding the wording "withstand an attack". In a voice vote, all voted in favor with Vice-Chair Stahl and Mr. Davenport being absent. **(Motion carried 3-0)**

Chair Greb asked for a motion taking 4.3 out of order.

Mr. Davis made a motion, seconded by Edna Moore. In a voice vote, all voted in favor with Vice-Chair Stahl and Mr. Davenport being absent. **(Motion carried 3-0)**

3. PLAT

3.1 P 1-2-00, South Post Plat, 4200 Shotgun Road (A-1)

Gladys DiGirolamo, representing the petitioner, was present. Ms. Nolan read the planning report (Planning and Zoning Division recommendation: approval subject to conditions as outlined in the planning report).

Mr. Davenport questioned if the 6 foot buffer would be in addition to 10 feet. Ms. Nolan clarified that it was a total of 16 feet. Mr. Davis stated that the sketch showed 20 feet on the plat and asked if there would be a buffer. Ms. DiGirolamo replied that there would be a buffer between the two paths.

Ms. Moore made a motion, seconded by Mr. Davenport, to recommend approval subject to the recommendation of the planning report. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

4. PUBLIC HEARING

Variance

4.1 V 8-2-00, Perez & Associates Architects/Planners, Inc./Vamel Corporation, 6530, 6550, and 6570 Griffin Road (Griffin Road Corridor) (Tabled from September 27, 2000)

Raul Perez, representing the petitioner, advised that the changes were due to an acquisition from the Department of Transportation. He also stated that the owner was appreciative of the cooperation of the Town. Ms. Nolan read the planning report (Planning and Zoning Division recommendation: approval).

Mr. Davenport questioned if this parcel was inside the RAC district. Ms. Nolan responded affirmatively.

Mr. Davis questioned a discrepancy on the number of variances. Mr. Perez stated that the petitioner was able to work with staff and had agreed to reduce the number of variances from the original application.

Chair Greb asked if anyone wished to speak for or against the variance. As no one spoke, the public hearing was closed.

**PLANNING AND ZONING
OCTOBER 25, 2000**

Mr. Perez explained that the original parking existed at that the front of the property. The Florida Department of Transportation took approximately 65-70 feet from the front and 85 feet from the other end of the property. The property owner would remove an existing septic tank and drain field and would build a sewer lift station in addition to other improvements.

Mr. Davenport questioned the reduction of 50 feet to 5 feet for dumpsters and if there would be any other dividers between the properties. Mr. Perez explained that there would be a masonry wall between both properties. The dumpster would primarily be used for retail use and would be in the front of the property. The property owner would be putting in landscaping improvements and new western facade treatment with parking being in the rear.

Ms. Moore made a motion, seconded by Mr. Davis, to recommend approval subject to the planning report. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Vacation

4.2 VA 7-2-00, Summerlake Apartments, LTD., a portion SW 58, generally located at the southwest corner of SW 58 Avenue and SW 42 Street

Michael Fawley and Manny Synalovski, representing the petitioner, wion: approval).

Mr. Davis questioned the difference on the plat sketch and the attachment showing a 15 foot sanitary sewer easement, but the proposed right-of-way vacation showed a 12 foot sanitary sewer easement. Mr. Kutney stated there would be a 15 foot easement and would remain in effect. Mr. Davis questioned if any other precautionary measures other than bumpers would be taken between the parking border and the children's play area. Mr. Fawley stated that in addition to the landscaping with trees, there would be a chain link fence around the proposed tot lot.

Chair Greb asked if anyone wished to speak for or against the vacation.

Bruce Novack, 4262 SW 78 Drive, questioned the safety of the residents in regards to potential of flooding from the land elevation. Ms. Nolan explained that new developments were required to meet the current South Florida Water Management District Codes and Central Broward Drainage District Codes.

Chair Greb closed the public hearing.

Mr. Davis made a motion, seconded by Mr. Davenport, to recommend approval subject to the correction of that one apparent typo. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Master Site Plan

4.3 MSP 8-1-00, Ivanhoe Planned Unit Development (PUD) (Tabled from October 11, 2000)

Chair Greb questioned why staff had requested a tabling of this item. Ms. Nolan stated that additional time was needed to meet with the surrounding homeowner's associations. She requested tabling this item to the November 8, 2000 meeting.

Mr. Moore made a motion, seconded by Mr. Davis, to table this item until November 8, 2000. In a voice vote with Vice-Chair Stahl being absent, all voted in favor. **(Motion carried 4-0)**

**PLANNING AND ZONING
OCTOBER 25, 2000**

5. OLD BUSINESS

Ms. Nolan updated the Board regarding the special permit for wild animals. Council had requested staff to do further research and to notice the surrounding property owners of their opinions.

Mr. Davis thanked Ms. Stratman for the minutes of previous meetings.

6. NEW BUSINESS

6.1 Text Amendment

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-208, ENTITLED "REQUIREMENTS FOR OFF-STREET PARKING," TO REVISE THE PARKING RATIO REQUIREMENTS FOR SELECTED USES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Lengthy discussion ensued between staff and the Board ~~receding~~ regarding the proposed parking revisions.

Ms. Nolan explained that this was a first attempt to revise the Town's parking Code. Various sources were utilized including municipalities in Broward County, Palm Beach County, ULI and PAS.

Game Room, Amusement Arcade, Pool Hall

Ms. Nolan explained the current Land Development Code for Game Room, Amusement Arcade, Pool Hall. Staff was looking at revising the current standard based on surveys of the surrounding area municipalities parking requirement and looking at some of the arcades in the Town.

Chair Greb questioned the reasoning for the change from one space for each 50 square feet to one space for each 200 square feet. Mr. Davenport stated that he was unsure if there would be enough parking spaces with the new standard. Ms. Nolan explained that the 50 feet was severely restrictive for parking and the 200 feet was more in line with today's standards. She advised that the current requirements were from the 1967 Code. Ms. Nolan further explained that the game room may include bars, restaurants or other accessory uses and those parking uses were calculated separately.

Beauty Salon

Chair Greb questioned the requirement of five parking spaces for each licensed stylist and would rather have the requirement be the maximum number of chairs that an establishment could maintain. He further stated that establishments that required appointments would require less parking spots than a walk-in barber shop. Chair Greb also questioned if there was a chance for modifying the ordinance before it went before Council.

Ms. Nolan explained that staff was were trying to get the new businesses to think ahead of the maximum growth that could be maintained. She explained that all shopping centers had a parking study which was an ongoing paper trail listing the tenants that were leasing spaces. Ms. Nolan stated that the parking studies would limit the type of businesses in each shopping center.

Mr. Davenport stated that the number of chairs would show the maximum number of stylists and he would rather see three spaces per chair. He explained that the first step would be that the architects would take the plans for the establishment to the Environmental

**PLANNING AND ZONING
OCTOBER 25, 2000**

Protection Agency to show the number of maximum chairs to be licensed. He stated that the Town should also base the number of parking spaces on the maximum number of stylist chairs. Mr. Davenport stated that the proposed number of parking spaces was excessive. He also stated that in the past, this Board was able to give input for upcoming ordinances.

Ms. Moore stated that she felt that the proposed parking spaces would be a relaxation of the Towns' Code. Ms. Nolan explained that the Code would be more stringent in some cases and more lenient in others. She further explained that it would be the developers job to anticipate the lease uses to meet the parking Code. The standard proposed had been researched and staff was comfortable with its application.

Mr. Connick questioned if the proposed revisions would be brought to the next Board meeting. He further questioned if staff would redraft their recommendation to Council based on the Board's experience. Ms. Nolan explained that if the Board wanted to make a motion and include all comments and suggestions, staff would make the recommendation to Council at its November 1, 2000 meeting.

Mr. Kutney explained that staff's recommendation would not change unless it felt that an error had occurred and staff would advise Council what the Board had recommended. Mr. Connick questioned if Chair Greb wanted to consider a motion in which Council would know the recommendation of the Board.

Chair Greb questioned the Board on what its wishes would be.

Mr. Davenport felt that the proposed changes were vague and the Board had previously given its recommendations. He added that both staff's and the Board's recommendations went to Council at the same time. Mr. Kutney felt that Council wanted to see both the staff and the Board's recommendation.

Mr. Connick explained that it bothered him that the Board had given additional recommendation to staff and that even with these recommendations, staff would not reconsider changing its recommendation to Council. Mr. Kutney reiterated that the Board's recommendation would be presented to Council. He felt that it would be a dangerous trend to substitute the Board's recommendation for what staff recommended.

Chair Greb explained that he felt that there should be a chance for modification before the issue was sent to Council.

Mr. Davis questioned if the Board's advisory status was only to Council and that staff did not want any advice. Mr. Kutney stated that the original recommendation would be presented to Council along with the Board's recommendation. He added that staff would review the recommendation of the Board.

Mr. Davenport made a motion, seconded by Mr. Davis, to calculate the parking spaces based on the number of stations that the establishment had applied for. Each station should require three parking spaces. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Commerce Center

Ms. Nolan explained that the existing ratio was one space for each 540 square feet but there was no definition for a commerce center to justify the parking ratio. She further explained that staff proposed the elimination of the Commerce Center title and renaming the category Flexible Space Office/Warehouse Developments.

Chair Greb would like the parking to be more restrictive.

**PLANNING AND ZONING
OCTOBER 25, 2000**

Mr. Davenport liked the 5% provision which would allow the flexibility to add parking if for example the business has a restaurant.

Ms. Moore questioned Mr. Connick if she was eligible to vote on this matter since she was a minor owner of a commerce center. Mr. Connick answered in the affirmative since she had declared that she was part owner.

Mr. Davenport made a motion, seconded by Ms. Moore, to approve as recommended. In a voice vote, with Vice-Chair Stahl being absent, all voted in favor. **(Motion carried 4-0)**

Home Improvement, Wholesale Stores/Clubs

Ms. Nolan read the the proposed new use phenomenon and added that currently, there was no separate parking ~~ratio~~ ratio for this use. This ratio was consistent with the Institute of Transportation Planners.

Chair Greb questioned what this included. Ms. Nolan stated that the proposed standard would be one space for each 300 square feet of gross floor area.

Mr. Davenport questioned what the parking spaces for the new Home Depot were at this time. Ms. Nolan stated that she had checked with Home Depot's headquarters and it was one space for every 325 feet.

Mr. Connick asked what the current standard was without this change. Ms. Nolan stated that it would be one space for each 200 square feet of gross floor area.

Chair Greb stated that the use would increase depending upon the time of day and time of year. He questioned staff on how long the 1 to 200 square feet had been in effect. Ms. Nolan stated that the 1 to 200 square feet was for retail, not specifically for Home Depot. She added for some municipalities it was approximately 1-300 and 1-350 square feet. Chair Greb stated that he felt that the parking should remain at 1 to 200 square feet and not be increased.

Ms. Moore stated that she felt that the merchandise that these stores carried was large and should be a little more liberal for this type of retail store.

Mr. Davenport stated that there was no existing standard to compare with. Mr. Connick stated that the requirement now was one parking space for every 200 square feet and he wanted the Board to realize the long term consequences if the Board recommended more parking spaces and the site would be developed to the maximum allowable.

Ms. Moore made a motion to change the ratio to 300 feet which died for lack of a second.

Mr. Davenport made a motion, seconded by Chair Greb, who passed the gavel, that the standard for the Home Improvement, Wholesale Store/Clubs remain at one space for 200 square feet. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, no. **(Motion carried 3-1)**

Hotels

Ms. Nolan read the current standard and the proposed ordinance.

Chair Greb questioned how the change rated with surrounding municipalities parking requirements.

Mr. Connick questioned the other municipalities who were surveyed other than what was on the list. Ms. Nolan stated that staff used the municipalities it considered comparable with the Town.

Mr. Davenport questioned how banquet areas were being calculated for parking spaces. Ms. Nolan stated that it was one parking area to three seats.

**PLANNING AND ZONING
OCTOBER 25, 2000**

Ms. Moore made a motion, seconded by Mr. Davis, to approve as recommended. Chair Greb had some discussion on the motion on the proposed total of parking spaces. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Manufacturing

Ms. Nolan read the current standard and added that the proposed ordinance included a definition for wholesale.

Chair Greb stated that the parking would be cut in half. Mr. Davenport indicated that most of the parking would be used by employees.

Ms. Moore made a motion, seconded by Mr. Davenport, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, no; (Vice-Chair Stahl, absent); Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 3-1)**

Child Care Center, Day Nursery, Kindergarten, Preschool

Ms. Nolan read the current standard and the proposed ordinance.

Chair Greb stated that it was not clear that the parking was based upon maximum capacity. Ms. Nolan stated that she would add the word maximum for clarification.

Mr. Davenport questioned why they needed one space for five children plus one space per 300 square feet of office area. Ms. Nolan stated that this was based on a survey of the municipalities with the County and a review of parking standards.

Mr. Davenport made a motion, seconded by Ms. Moore to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Office

Ms. Nolan read the current standard and the proposed ordinance.

Mr. Davenport questioned why staff proposed one space for each 300 square feet of gross floor area for office space. Ms. Nolan stated that this was the standard for various municipalities.

Mr. Connick questioned if the green space requirements would be changing with the change in the parking requirements. He stated that there would now be a more dense development and indicated that the Board should see what the green space amendment would be.

Ms. Moore stated that there was more required parking then was normally used. Chair Greb stated that with less parking, there would be more building and not more green space. Ms. Nolan responded that with more parking, there would be more buildings which would require more green space.

Mr. Davenport stated that day spas averaged between 3,000 to 4,500 square feet and with the 3,000 square foot requirement based and a minimum of 10 - 12 employees plus the patronage, there would not be enough parking for the establishment. He requested if the parking spaces could be done based upon 2,500 square feet which would increase the parking area 25% more parking.

Mr. Davenport made a motion, seconded by Mr. Davis, to approve the recommendation of staff on office space and modify the day spa to one space for each 125 square feet. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, no. **(Motion carried 3-1)**

**PLANNING AND ZONING
OCTOBER 25, 2000**

Research and Development

Ms. Nolan read the proposed ordinance and advised that staff felt there were two different uses in one building.

Mr. Davenport made a motion, seconded by Ms. Moore, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Warehouse Storage, (long term)

Ms. Nolan read the current standard and the proposed ordinance.

Mr. Davenport stated that there had been several proposals in the past. He indicated that there was normally a maximum of four to five cars from the employees at any particular time and the average was 80 to 100 square feet per space. Ms. Nolan questioned if he was referring to mini-warehouses and was given an affirmative answer. She further stated that this category was not for the mini-warehouses and that staff was not changing that parking requirement.

Ms. Moore made a motion, seconded by Mr. Davenport, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Restaurants (General, Specialty)

Ms. Nolan read the current standard and the proposed ordinance.

Mr. Davenport questioned if there was a category for fast food restaurants. Ms. Nolan responded that it was an existing separate category.

Mr. Davenport made a motion, seconded by Ms. Moore, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Retail

Ms. Nolan read the current standard and the proposed ordinance.

Ms. Moore made a motion, seconded by Mr. Davis, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Shopping Centers

Ms. Nolan read the current standard and the proposed ordinance.

Mr. Davenport stated that this standard was reasonable.

Mr. Davenport made a motion, seconded by Ms. Moore, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Shared Parking

Ms. Nolan read the current standard and the proposed ordinance.

Chair Greb did not agree with the proposed ordinance. Ms. Nolan stated that this ordinance would allow for peak use studies and was in the current Code

Mr. Davis stated that these guidelines were currently being utilized and staff would now have consistent guidelines.

**PLANNING AND ZONING
OCTOBER 25, 2000**

Mr. Connick stated that if there was compliance with the parking requirements, this ordinance would not be enforced; however if there was not sufficient parking, then this ordinance would be enforced.

Chair Greb clarified that a new development would not utilize this ordinance. Ms. Nolan stated that shared parking could only be based on the tenants that were currently there.

Mr. Connick recommended that the applicants go through staff and then Council. He further recommended that the applicant be required to pay the Town to do a parking study.

Mr. Davenport questioned the legality of forcing the applicant paying for the parking study. Ms. Nolan stated that staff would verify the the validity of the application.

Mr. Davis did not agree with Mr. Connick's suggestion. He clarified that if an applicant would apply under the Western Theme or the Community Redevelopment Agency guidelines, they would not be required to go through staff and Council for proposed changes. Mr. Davis questioned who would choose the option. Ms. Nolan stated that the first option would be for traditional uses, such as retail. The second option would be for new use as a unique circumstance, such as B.J. Wholesale. Mr. Davis was troubled that this form would be a restrictive covenant and recorded by the Town Clerk. Ms. Nolan stated that this was why the staff was requesting this shared parking regulation.

Mr. Davenport suggested that staff make a recommendation based upon their research and bring the item before the Board and Council.

Mr. Davenport made a motion, seconded by Mr. Davis, to approve as recommended. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, yes. **(Motion carried 4-0)**

Chair Greb questioned if a recommendation to increase green space with the reduction of parking to fill the void would be indicated. Ms. Moore had no problem giving the developer more land for a larger building and have an increase of trees and shrubs. Mr. Davenport suggested giving applicants a minimum area for either parking or landscaping. He further suggested that the green space ordinance needed to be reviewed in the near future.

Chair Greb passed the gavel and made a motion to approve a motion to recommend that any decrease in parking lot requirements as a result of all these changes there be an equal increase in green space. Mr. Davis seconded the motion. In a roll call vote, the vote was as follows: Chair Greb, yes; Vice-Chair Stahl, absent; Mr. Davenport, yes; Mr. Davis, yes; and Ms. Moore, no. **(Motion carried 3-1)**

Mr. Davenport stated that he felt that entertainment centers, movie houses, and theaters had been excluded from the proposed ordinance. Ms. Nolan stated that this was only the beginning to rewriting the Code parking.

7. COMMENTS AND/OR SUGGESTIONS

There were no comments or suggestions made by the Board.

8. ADJOURNMENT

There being no objections, the meeting adjourned at 10:54 p.m.

Approved: _____

Chair/Board Member